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Dated: August 22, 2006

Signature

(Dennis M. Smid)

Docket No.: SONYJP 3.0-1022  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Shimomura et al.

Application No.: 10/688,434

Group Art Unit: 2621

Filed: October 17, 2003

Examiner: J. J. Groody

For: RECORDING APPARATUS AND METHOD,  
RECORDING MEDIUM, AND PROGRAM

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**CERTIFICATION PURSUANT TO 37 C.F.R. § 1.97(E)(1)**

Dear Sir:

Pursuant to 37 C.F.R. § 1.97(e) (1), undersigned counsel hereby certifies that each item of information contained in the accompanying Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application to the above-referenced patent application not more than three months prior to the filing of said statement.

Dated: August 22, 2006

Respectfully submitted,

By

Dennis M. Smid

Registration No.: 34,930

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Attorney for Applicants

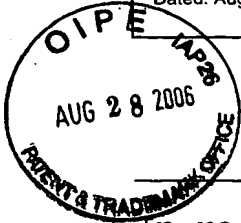
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**INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

It is respectfully requested that the references listed on the enclosed form be made of record and considered with respect to the above-referenced U.S. patent application. A copy of each reference is enclosed. The cited references were listed in an Office Action issued in connection with Applicants' corresponding Japanese application. A copy of the Office Action is also enclosed. Submission of the present Information Disclosure Statement should not be taken as an admission that the cited references are legally available prior art or that the same are pertinent or material.

Application No.: 10/688,434

Docket No.: SONYJP 3.0-1022

In the event that any fee is due in connection with the present Information Disclosure Statement, the Commissioner is hereby authorized to charge the same to our Deposit Account No. 12-1095.

Dated: August 22, 2006

Respectfully submitted,

By 

Dennis M. Smid

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LERNER, DAVID, LITTENBERG,

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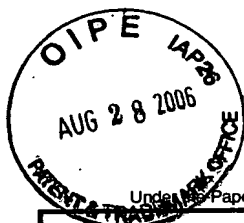
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Substitute for form 1449A/B/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 1

**Complete if Known**

Application Number	10/688,434-Conf. #1575
Filing Date	October 17, 2003
First Named Inventor	Munehiro Shimomura
Art Unit	2621
Examiner Name	J. J. Groody
Attorney Docket Number	SONYJP 3.0-1022

**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
	BA	JP-02-035878	02-06-1990	Canon Inc.		**
	BB	JP-2001-291335-A	10-19-2001	Sony Corp.		✓

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

**\*\*with English Abstract only.**

Examiner Signature		Date Considered	
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